



# **Environmental Performance Partnership Agreement**

**Between**

**Connecticut Department of Environmental Protection**

**and**

**US Environmental Protection Agency, Region 1**

**for**

**Federal Fiscal Years 2006 and 2007**

April, 2006

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# Environmental Performance Partnership Agreement

## I. Parties to the Agreement, Statement of Purpose

This Agreement represents an evolving approach to the federal/state relationship in our joint efforts to protect and enhance our natural environment. This agreement is entered into by the Regional Administrator of New England of the US Environmental Protection Agency (EPA) and the Commissioner of the Connecticut Department of Environmental Protection (CT DEP). It represents a framework for both parties to follow in federal fiscal years 2006 and 2007 (FY 06-07).

This agreement is intended to foster cooperation between and provide common direction for EPA and CT DEP. It represents a commitment by the agencies to negotiate and collaborate on establishing their priorities and resource allocations. This partnership is a dynamic relationship and provides the basis upon which to build as changes occur and demands are met.

While this Agreement contemplates common action, it also envisions flexibility for each agency to pursue its own interests and needs. It represents continued movement by EPA away from a system of purchasing specific activities through state grants and a commitment to shift to program-wide, limited after-the-fact reviews, rather than case-by-case intervention. While the Performance Partnership Agreement (PPA) is intended to provide states with more flexibility to address environmental priorities, it should be noted that states are still required to address core programs. The core program commitments are based on requirements in statutes, regulations and standing legal agreements between EPA and states (e.g., delegation agreements).

This agreement also represents an effort to define environmental goals and desired results, develop strategies to achieve them and determine methods of measuring their achievement for the programs eligible for funding through the Performance Partnership Grant (PPG). Finally, this agreement represents an effort to focus the attention of government agencies and the public on overall environmental protection goals and the actual results of efforts to achieve them.

## II. Scope of the Agreement

In the past two PPA cycles, FY 02-03 and FY 04-05, CT DEP introduced and relied upon its integrated Environmental Quality Branch Strategic Plan for FY 02-07 to provide the framework for CT DEP's major Strategic Priorities. The longer-term Strategic Plan was accompanied by a more detailed operational plan, including associated measures, that reflected CT DEP's commitments over two years and beyond. Together, CT DEP's Strategic and Operational Plan serve as valuable planning tools for the managers and staff of CT DEP.

**In FY 06-07, CT DEP's environmental agenda is being developed according to the following major themes: Making "Doing the Right Thing" the "Path of Least Resistance"; No Child Left Inside; Landscape Stewardship; and "I Have Seen the Enemy and It is I".** These four themes along with the above-referenced planning documents provide the foundation for the FY 06-07 PPA and reflect the joint planning, negotiations and commitments between EPA New England and CT DEP.

For the purposes of the PPA, EPA's interest and review of CT DEP's programs and activities will be limited to such federal statutes and programs as they relate to the funding awarded by EPA through the PPG. The Strategic and Operational Plans are planning tools for all of DEP's EQ Branch regulatory programs that encompass state as well as federal and special funded programs. As a result, some of the information presented will go beyond the scope of EPA's review.

CT DEP is interested in continuing to work with EPA to facilitate better joint planning and alignment of our strategic priorities. This past year the **New England State Environmental Commissioners worked with EPA Region I** to identify shared regional priorities and to provide EPA Headquarters with comments on the FY 06 Draft National Program Manager's Guidance regarding these priorities. The following priorities were identified by the New England Commissioners:

- Greenhouse Gas
- Mercury
- PM 2.5/Diesel
- Beaches
- Interstate Transport of Air Pollution
- Water Quality

*See New England State Comments on EPA's FY 06 Draft National Program Manager's Guidance, dated March 30, 2005.*

CT DEP is also interested in working with the other New England States along with the interstates as well as the Environmental Council of the States to review and comment on the development of EPA's National 2006-2011 Strategic Plan and work with EPA New England on reviewing and commenting on its Regional Strategic Plan. Presently, the long-range strategic goals featured in CT DEP's EQ Branch Strategic Plan align closely with EPA's national as well as its Regional Strategic Goals.

EPA program grants combined under this PPA are:

- Air pollution control [Clean Air Act (CAA) - Section 105]
- Water pollution control [Clean Water Act (CWA) Section 106]
- Non-point source management [CWA Section 319]
- Water quality cooperative agreements [CWA Section 104(b)]
- Wetlands program development [CWA Section 104(b)]
- Safe Drinking Water Act [Underground Injection Control SDWA Section 1443b]
- Hazardous waste management [Resource Conservation and Recovery Act (RCRA) Section 3011]
- Underground storage tanks [Solid Waste Disposal Act (SWDA) Section 9010 (USTs enforcement)]
- Polychlorinated Biphenyls (PCB) [Toxic Substances Control Act (TSCA)]
- Pesticides [Federal Insecticide, Fungicide and Rodenticide Act (FIFRA)]

As stated above, any other EPA or other federally funded programs or state funded programs represented in this agreement are included for the purpose of providing a more comprehensive overview of DEP's efforts to protect the environment. CT DEP is not, however, responsible for reporting to EPA on the goals, strategies and measurements for such programs.

### **III. Connecticut's Strategic Environmental Priorities**

#### **A. Commissioner's Environmental Themes**

The Commissioner has proposed that the agency set its environmental agenda according to the following major themes. These themes provide the framework for the Department's Environmental Quality programs including those addressed in the EQ Branch Strategic Plan (see below) and covered by this PPA.

##### ***Making "Doing the Right Thing" the "Path of Least Resistance"***

The Department's making "Doing the Right Thing" the "Path of Least Resistance" theme includes a number of components designed to achieve regulatory compliance and focus on environmental outcomes. Components to this theme include a strong enforcement program, enhanced decision making and regulatory certainty and environmental justice initiatives.

##### ***Landscape Stewardship***

The "Landscape Stewardship" theme is an effort to coordinate and focus the Department's programs that influence land development. Through this comprehensive theme, the Department will be able to better offer assistance to municipalities, land trusts and others making land use decisions.

##### ***"I have seen the Enemy and It is I" – Pogo***

The Department's "I have seen the Enemy and It is I" theme is an effort to bring attention to the environmental impacts associated with non-traditionally regulated sources of pollution. As part of this theme, the Department will be working on a range of topics including recycling, climate change, mobile sources, and consumerism, to further resource protection efforts.

##### ***No Child Left Inside***

The Department's "No Child Left Inside" theme represents an effort to reach families throughout Connecticut, especially those in our urban areas, and make them more aware of the varied recreational opportunities available to them throughout our state park and forest system to foster an appreciation of what a quality environment has to offer to quality of life.

#### **B. DEP Environmental Quality Branch Strategic Plan FY 02-07**

The Department recognizes that the environmental challenges of the 21<sup>st</sup> century will require more sophisticated solutions and that natural resources and fiscal resources are finite. It is clear that DEP's resources must be systematically managed to protect and enhance Connecticut's environment. Therefore the Environmental Quality (EQ) Branch engaged in a comprehensive branch-wide strategic planning process. As part of this strategic planning process the EQ Branch developed and is currently pursuing well-defined Strategic Priorities (See DEP EQ Branch Strategic Plan FY 02-07). These new Strategic Priorities focus and coordinate efforts to accomplish objectives identified by environmental and natural resource management needs. The nine EQ Branch Strategic Priorities for fiscal years 2002 –

2007 are: Air Quality Management; Watershed Management; Long Island Sound; Conservation and Development Planning and Management; Management of Toxic Pollutants; Materials Management; Emergency Response; Managing Environmental Compliance; and Promoting Environmental Stewardship.

The EQ Branch Strategic Priorities fall into two broad categories: 1) substantive issues and 2) procedural issues. The priorities are interrelated both across and within both categories – much as the environment itself. In general, the substantive efforts will continue to focus on achieving clean air, clean water, clean lands and protection and enhancement of natural resources and habitats. The procedural issues focus internally on improving how DEP conducts its business and assists in identifying the tools used to achieve the substantive issues. Permitting and enforcement continue to be the backbone of DEP’s procedural efforts. The difference is that DEP is formally recognizing that air, land and water are connected and to address environmental protection holistically requires an integrated problem solving approach. By viewing its priorities as interrelated, DEP opens the door to interposing its staff and financial resources across organizational lines toward operative priority goals that will guide its day-to-day operations.

Finally, it is important to note that in addition to the EQ Branch Strategic Priorities DEP has certain umbrella priorities that apply to the entire DEP (See EQ Branch Strategic Plan). While these umbrella priorities may not be specifically listed in the EQ Branch Strategic Priorities they are imbued within all of the EQ Branch programs. Among these DEP umbrella priorities are: **Environmental Equity** through which DEP promises and ensures that all members of the public are entitled to and receive the highest levels of environmental protection and access to all of the states resources; **Information Management initiative**, in general, through which DEP strives to provide quick and easy access to timely, accurate and integrated environmental information on a geographic basis to DEP staff and constituents; and **Quality Assurance and Quality Control** (see also IV. Roles and Responsibilities, D. Quality Assurance) through which DEP ensures that all those internally and externally who rely upon our data have access to sound, reliable information.

### **Environmental Quality Branch Strategic Priorities**

#### **Fiscal Years 2002 - 2007**

- **Air Quality Management**
- **Watershed Management**
- **Long Island Sound**
- **Conservation and Development Planning and Management**
- **Management of Toxic Pollutants**
- **Materials Management**
- **Emergency Response**
- **Managing Environmental Compliance**
- **Promoting Environmental Stewardship**

While some of the Strategic Priorities for the EQ Branch will remain the same over long periods e.g., watershed management and air quality management, others will likely change over time. Each priority includes a brief description of why it is a priority; a long-term strategic goal that describes a desired future condition of the environment that DEP is striving to achieve; objectives that address more specific conditions and generally take a shorter timeframe to achieve; and associated strategies that define how the goals and objectives are going to be accomplished or implemented. Through its planning process CT DEP is continually assessing the efficacy of its strategies, the operational tasks associated with implementation of those strategies and the resources dedicated to identified tasks. It is through such self assessment that the agency was able to identify and describe the strategic priorities and associated goals, objectives and strategies. This type of evaluation is continued through the development of the final report on the PPA (See also V. Roles and Responsibilities, C. Reporting, Assessment and Revision).

#### **C. DEP EQ Branch Operational Plan FY 06-07 – Measures by Strategic Plan**

The Operational Plan focuses upon the shorter-term tasks that will be implemented to achieve the goals, objectives and strategies identified in the above-referenced EQ Branch Strategic Plan. Also included with the operational plan are the performance measures for the Strategic Plan and the PPA. DEP's continual evaluation of environmental trends through these measures will provide for the dynamic analysis and modification of strategic priorities in the future (See IV. Measuring Performance).

#### **D. Compliance Assurance Strategy FY 06-07 - See link on main PPA page**

### **IV. Measuring Performance**

Two main purposes for this agreement between EPA and CT DEP are to (1) negotiate and work collaboratively on establishing priorities and strategies and (2) focus the attention of government agencies and the public on overall environmental protection goals and the actual results of associated efforts. In order to demonstrate the process for achieving such environmental results, CT DEP strives to establish an effective balance between program output measures, program outcome measures and environmental indicators (See definition of measures in table below).

As specified in the Joint Statement of Measuring Progress under the National Environmental Performance Partnership System . between EPA and the Environmental Council of States dated August 14, 1997, and in the Joint Statement Addendum dated April 15, 1999, a guiding principle in the preparation of this agreement has been a commitment to use the Core Performance Measures for FY 2000 as tools to track progress in achieving environmental results. However, if any such measures were found to not align with CT DEP's needs, those measures were modified, substituted, or eliminated as agreed to by both CT DEP and EPA.

It should be noted that although CT DEP strives to move our measurement capabilities up the hierarchy for performance measures as much as possible, there are a number of goals and programs for which environmental indicators have not been developed at this time or for which there is no data available. In those instances, instead of an environmental indicator, a program outcome or output is provided where possible and appropriate.

<b>Term</b>	<b>Definition</b>	<b>Example</b>
Environmental Goal	Desired state or condition towards which individuals or programs direct efforts	Protect and enhance ambient air quality
Objective/Milestone	Identifiable and measurable steps that track progress towards attaining a goal within a time frame	By 2010, make the air safer to breathe for the people living in CT by attaining and maintaining the revised ambient air quality standard for ozone.
Strategies	Types of actions taken to achieve goal or objective/milestone	Remain an active participant in the interstate efforts to ensure implementation of adequate control strategies to address regional transport of ozone precursors.
<b>Measures (3 types)</b>	How to evaluate and communicate if goals and objectives are being met	
Program Output Measure (OP)	Measure actions by state and federal environmental agencies	Progress in developing and submitting required State Implementation Plans, including the two-phased approach to ozone attainment demonstrations.
Program Outcome Measure (OC)	Measure actions by sources; responses of the regulated community; or changes in emission/discharge quantities	Number of ozone non-attainment areas that are redesignated to attainment
Environmental Indicators	Measure changes in ambient concentrations or changes in ecological and/or human health	Monitored level of ambient ozone

### *Compliance Assurance Measures*

Paralleling EPA's most recent efforts, CT DEP is engaged in refining its compliance assurance work by strategically directing available tools toward significant problems and then effectively communicating outcomes (rather than outputs) through better use of data. Examples of such efforts are highlighted in the Department's most recent annual report. The report includes program descriptions and associated measures such as compliance rates and the increase in miles of streams restored for anadromous fish passage on an annual basis since 1998, among others. EPA Region I has been very supportive of the Department's efforts to grow and develop in this direction. Continued support from EPA is needed to help CT DEP realize the most effective and measurable compliance assurance program reflecting the goals of environmental and natural resource protection, not just the goal of deterrence in and of itself.

## **V. Roles and Responsibilities**

### **A. Agreed Areas of Assistance by EPA for CT DEP**

#### **1. Crosscutting Issues for the Air, Waste and Water Programs**

##### ***a. Communication and Coordination on EPA Initiatives***

- 1) EPA and CT DEP agree to establish effective lines of communication and coordination on compliance assistance initiatives and enforcement activities. Both parties are committed to working together and coordinating on identifying sectors in need of additional assistance or oversight. Early coordination is particularly important where EPA intends to carry out an initiative in the state that may result in the reallocation of state resources. EPA needs to include the state in the planning and development phases of any such initiative.
- 2) In addition, EPA agrees to work with CT DEP on compliance assurance efforts

such as developing streamlined compliance inspection requirements, and/or assuming additional inspection commitments, in order to free up DEP staff resources to be devoted to compliance assistance activities.

***b. Measures of Success for Compliance Assistance and Enforcement***

EPA agrees to assist CT DEP in its efforts to incorporate proactive approaches to compliance while at the same time maintaining a strong enforcement presence. Such initiatives require an investment in staff training, the development of informational materials, the development of guidelines that supplement existing Enforcement Response Policies, and the articulation of the goals and objectives of compliance efforts to staff and members of the environmental and regulated communities. While EPA has been generally supportive of CT DEP's efforts related to an effective compliance assurance program, more support in the areas identified above from EPA is necessary to help CT to achieve its environmental goals.

Although CT DEP is committed to continue to report and track traditional measures of enforcement such as orders and referrals to the Office of the Attorney General, EPA agrees to support CT DEP's efforts to develop more quantitative measures which demonstrate the success of enforcement and compliance assistance activities, such as tons of emissions reduced, numbers of permits obtained and regulatory requirements avoided through the implementation of pollution prevention. EPA and CT DEP need to develop more effective measures that support CT DEP's ability to experiment with many innovative approaches developed by both EPA and the states. The CT DEP is currently experimenting with pro-active approaches intended to reduce threats posed by mercury, abandoned electrical transformers containing PCBs, auto salvage operations and marinas, among others. The primary goal for the development of such additional measures is that they more accurately reflect the impact of enforcement and compliance efforts on the environment and public health.

***c. Reporting Burden Reduction and Disinvestment***

Both EPA and DEP agree to use the PPA process and the quarterly managerial meetings as ongoing forums to raise and discuss opportunities for reporting burden reduction and disinvestment. This PPA reflects mutual discussions between CT DEP and EPA regarding the alignment of Connecticut's strategic priority setting with both the national EPA Strategic Plan 2003-2008 as well as the EPA New England's Regional Plan. The next step, also reflected herein, will be mutual agreement on necessary state and federal disinvestments which will allow both agencies to focus limited resources on mutually identified high priorities. It is hoped that this agreement will foster a balanced partnership with increased coordination and communication between both agencies, and that this agreement can help to provide a common direction between CT DEP and EPA.

## 2. Air Management

For FY 06 and FY 07 EPA assistance will be critical in the following areas:

- a. The Air Program continues to struggle with scarce resources to spread across an increasing number of federally required commitments. EPA agrees to work with the Air Program to evaluate commitments and to reach concurrence on program priorities. This will be done with the understanding that EPA will continue to provide flexibility in program implementation. As an example, transportation conformity will afford both agencies the opportunity to effectively allocate resources by setting interim budgets and avoiding duplicative and overly burdensome multi-state administrative processes and recognizing resource savings for Connecticut's air program. CTDEP and EPA agree to focus on opportunities like these to ensure resources are allocated to the highest priority tasks.
- b. In order for Connecticut to reach attainment, EPA needs to assure that upwind states implement adequate controls to eliminate significant contribution into Connecticut. To this end, CTDEP will need EPA's assistance in pursuing peak day reductions. In addition, EPA agrees to continue efforts to avoid backsliding on commitments and requirements by upwind states.
- c. The CTDEP continues to recognize the importance of a consistent approach in the clean up of sites contaminated with radioactive material. EPA agrees to provide funding to continue the clean-up of the clock factory site in Waterbury.
- d. Continued EPA assistance is critical for mobile source and fuel strategies including diesel reduction efforts (especially including anti-idling efforts at truck stops and rest areas on interstate highways where EPA's expanded jurisdictional authority is key to success), developing a sound enforcement strategy in partnership with the states to ensure an effective phase in of the ultra-low sulfur diesel fuel beginning in June of 2006.
- e. Air pollution from wood burning continues to be an emerging area of concern from both an air toxics and a source contribution point of view. EPA agrees to assist CTDEP in an effort to promote a coordinated regional and national solution to this issue.
- f. EPA agrees to continue work in partnership with the Air Program to evaluate efficient and effective approaches to stationary source controls. Given the myriad of federal rules recently adopted for stationary sources, CTDEP and EPA agree to partner in developing and implementing these requirements in a manner which focuses on compliance as a result while minimizing transaction costs for the agencies and the regulated community.
- g. EPA agrees to provide CT with fuel sampling training, health and safety training, sampling materials, sample containers and shipping guidance to facilitate shipping to USEPA laboratory in order to enable CT to assist USEPA in performing diesel fuel sulfur assessments during FFY 2006.

- h. EPA agrees to provide CT with training (safety training, instrumental training) and assistance to engage in tanker truck leak detection assessments at selected gasoline terminals in CT. Level of inspection effort to be determined, execution in FFY 2006 or 2007 depending on resources available for both EPA and DEP.

### **3. Waste Management**

Assistance and training will be critical to supporting the CT DEP's efforts to update and maintain its program authorization and to implement new programs accordingly. The CT DEP recommends this largely be done through continued EPA support of the assistance programs developed and coordinated by the Northeast Waste Management Officials Association (NEWMOA). NEWMOA began providing more comprehensive programs during FY 05 which have effectively fulfilled CT DEP's assistance needs. Continued EPA grant support and provision for expert presenters is essential to the on-going success of such NEWMOA programs.

Training on new federal rules and requirements which have been impacted by court decisions and/or EPA policy interpretation is necessary. Some examples include:

- Universal Waste Rule – Mercury Containing Equipment
- Definition of Solid Waste – recycling exemptions, and the Bevill Exclusion
- EPA's Resource Conservation Challenge;
- Manifest Rule – including electronic reporting, and Biennial Report System interface
- Commercial facility inspection strategies, including waste analysis plans
- satellite accumulation interpretations; and

Training in the following programmatic areas:

- financial assurance - cost estimate preparation and program management;
- data management: RCRA Info Version 3 Update
- economic benefit calculation using EPA BEN-ABEL models
- performance measures development;

WEED also requests the continued availability of EPA forensic accounting staff expertise and/or contractors for analysis of complex ability to pay issues in support of enforcement cases.

As the CT DEP continues to implement its Corrective Action program, assistance from EPA in the following areas will be essential: review of ecological risk assessment; and review of Quality Assurance Project Plans

#### **4. Water Management**

For the past 30 years, DEP has managed and promoted a comprehensive suite of water resource protection and restoration programs for Connecticut. It is increasingly apparent that certain water pollution problems affecting Connecticut's waters arise from pollution sources outside of the state. Resolution of these problems is beyond DEP's control. For instance, atmospheric sources of mercury and nitrogen have contributed to the issuance of fish advisories and the eutrophication of coastal waters, respectively. Similarly, pollution from interstate waters including the transport of PCBs, the discharge of raw sewage from combined sewers, and nitrogen from anthropogenic sources north of Connecticut significantly impair Connecticut's waters and have led to inclusion of several waterbodies on Connecticut's 2004 Section 303(d) listing. These are matters that require greater interstate coordination and DEP looks to EPA Region I for assistance and leadership in resolving these difficult problems. Specifically for FY 05-06 EPA action in the following areas is vital:

- a. Timely and consistent review of TMDLs.
- b. Implementing the TMDL for Long Island Sound including addressing atmospheric sources of nitrogen outside of Connecticut and New York and developing an enforceable tool to address nitrogen loading from point and nonpoint sources within the Long Island Sound watershed outside of Connecticut and New York – with a specific focus on nitrogen removal from wastewater treatment plant effluent in the upper CT River.
- c. Participate in national forums on TMDL and Water Quality Standards initiatives
- d. Proactive management of the Phase II funding from the Millennium Power Project to carry out the study recommendations and to make improvements to restore and enhance aquatic resources of the Quinebaug River.
- e. Timely and consistent review of QAPPs. In addition, coordinate with the USGS to streamline QAPPs when utilizing USGS Standards Operating Procedures to assist in making limited staff resources go further.
- f. Technical assistance and participation as necessary for CT DEP's development of minimum streamflow regulations in accordance with Public Act 05-142.
- g. Address the Housatonic River water quality issues in a timely manner.
- h. Upon request, continue to work with CT DEP towards implementing ADB and modifications as necessary and feasible for 305(b)/303(d) reporting.
- i. Provide permit specific support as necessary.
- j. Proactive support in establishing flexible funding mechanisms to implement the general permit for Concentrated Animal Feeding Operations (CAFOs), including development of demonstration projects and pilot regional manure management facilities to address the nutrient surplus.

## **B. Grant/Fiscal Considerations**

This agreement represents the continuation of a transition away from the traditional submission of categorical grants towards a Performance Partnership Grant (PPG) whereby funds may be combined and used for any activity allowed by all the grant authorities. For FY 06-07, one PPG application will be submitted for the Water Management, Waste Management and Air Management of CT DEP for all the programs eligible for the PPG. Such programs are cited in Section II, Scope of Agreement. The DEP would like to continue its progress in aligning the PPA/PPG, the strategic planning and operational planning process, and the state budget cycle. To that end, as was administered and approved by EPA during the last PPA/PPG cycle, DEP is interested in again establishing up to a four or five year PPG cycle.

## **C. Reporting, Assessment and Revision**

As the PPA for FY 06 and FY 07 is implemented, it is essential that CT DEP and EPA maintain communications to evaluate progress being made, identify problem areas, and adjust priorities and strategies as needed. Normal reporting of program data required by federal programs will continue under this agreement. However, EPA agrees to work with CT DEP to identify and implement agreed upon reporting burden reduction initiatives, particularly any programmatic reporting which is duplicative or unnecessary due to information reported by the programs as part of the PPA process. Any successes from the reporting reductions initiative will be conveyed to EPA and shared with other states and Regions through the ECOS-EPA Alignment/PPA Workgroup. Issues that require resolution at a national level will be raised to the Workgroup to address.

The first annual report on the FY 06-07 PPA will be submitted by end of February, 2006. Mid-way through the FY 06-07 cycle, CT DEP and EPA will meet during the summer, 2006 to discuss any mid-course corrections deemed necessary by either agency and solidify any mid-course corrections deemed necessary by both agencies in the annual report. In addition, CT DEP, if necessary, will submit an annual update to the PPA in September, 2006. The second annual report on the FY 06-07 PPA will be submitted by the end of February, 2007. The reports will include a description of the progress made towards meeting environmental goals as expressed by the environmental indicators and program measures provided within the PPA. If CT DEP is already providing the data for a given measure through entry into a national database such as STORET, PCS, SDWIS, UIC Reporting System, AIRS or SFR Information Systems, no additional reporting will be included in the annual report.

## **D. Quality Assurance**

CT DEP operates under an approved Quality Management Plan (QMP) dated August 2002 with revisions identified in the CT DEP annual review letter of April 26, 2005. Responsibility for coordinating the implementation of the QMP resides in the Office of Information Management (OIM).

Within the past year Commissioner McCarthy created the OIM. To centralize and manage agency information planning and implementation efforts, including development of a Facility Identification System(FIS) and a Geographic Information System (The FIS efforts are partially funded through an EPA one-stop grant). OIM coordinates with the various program contacts across the EQ Branch.

CT DEP continues to address quality assurance matters within the context of the negotiations on the PPA. CT DEP and EPA agree to raise quality assurance issues within the context of CT DEP/EPA quarterly meetings and at the semi-annual meeting of senior agency managers. Both agencies agree that quality assurance commitments will be negotiated alongside other agency programmatic priorities to ensure commitments are evaluated holistically within the context of all other priorities and resource commitments.

By October 31, 2006 and October 31, 2007 CT DEP agrees to prepare and submit an annual review letter of the QMP and include all revisions to the QMP as attachments to the letter including an updated Quality Assurance Project Plan Inventory list.

#### **E. Agency Contacts**

To insure the free-flow of information between CT DEP and EPA, and to facilitate the negotiation of the Agreement, CT DEP and EPA designated a point of contact. This designated person has acted as a channel for information to a Core Group designated by both Agencies. The Core Group has participated in mutually convenient telephone calls and meetings to negotiate and foster the implementation of the Agreement. As needed to fulfill the terms of the Agreement and keep the process centralized, the principal contacts and the core group will continue to play lead roles throughout FY 2006 and 2007.

The contacts and Core Group members are:

Principal EPA contact: Linda Murphy, Director  
Office of Ecosystem Protection  
(617) 918-1500

Principal CT DEP contact: Nicole Morgenthaler Lugli  
Office of Enforcement Policy and Coordination

EPA Core Group Members: Lynn Hamjian, CT State Program Unit  
David Conroy  
Marv Rosenstein  
Thomas D'Avanzo

CT DEP Core Group Members: Yvonne Bolton  
Betsey Wingfield  
Tracy Babbidge

#### **VI. Public Participation**

Meaningful public participation of CT DEP and EPA stakeholders is critical to the success of the state/federal relationship described in this agreement. In the past the agencies have viewed public participation as a single one-time occurrence. Previous attempts have been made to inform a diverse set of stakeholders on a wide-range of environmental issues. The result has been forums that were not necessarily conducive to information exchange presented in a format that was not as useful as it could be. Based on this experience, both CT DEP and EPA have agreed to ensure that public participation occurs on a regular and ongoing basis, at the early formative stages of policy, program and regulation development through the Bureau advisory committees. For FY 06-07 both agencies agree to continue this valuable and effective public participation process.

As part of developing an environmental agenda for the Department, Commissioner McCarthy has held several stakeholder meetings with external constituents, staff and managers to solicit their thoughts and input on the four major themes for the agency. These themes provide the framework for the Department's environmental quality programs, including those covered by this PPA. The Commissioner plans to continue to hold stakeholder meetings throughout FY 06-07 to continue to engage the Department's diverse constituency to consider what the Department is doing to preserve and protect the environment and what needs to be done to meet future challenges.

These four themes along with the EQ Branch Strategic and Operational Plans provide the foundation for the FY 06-07 PPA. Four years ago as part of the agency's strategic planning process, a wide-variety of stakeholders were invited to an informational session to introduce the first integrated EQ Branch Strategic Plan for FY 2002-2007. The Strategic Plan identifies up front the priorities and associated strategies to solve important environmental problems that is the basis of CT DEP's PPA commitments. This strategic planning process will afford the Agency an opportunity to communicate and coordinate with its diverse stakeholders about its priorities beyond media specific programs, functions and prescriptive grant requirements. The strategic priorities have been used to develop the budget and operational plans - driving how the EQ Branch plans to allocate its resources and as part of future negotiations on priorities and resource investments. (See EQ Branch Strategic Plan)

CT DEP will continue to work with the Air, Water and Waste Advisory Committees on the components of the environmental themes and the strategic plan. CT DEP will engage the advisory committees in the process of implementing the key strategic priorities. The priorities include strategies for insuring public participation. This will insure that major initiatives and programs receive input from appropriate stakeholders in small working groups at the early formative stages of development. The advisory committees are comprised of a cross-section of representatives from business and industry association, industry, small business association, environmental consultants, environmental attorneys, municipal representatives, environmental organizations and other state agencies. The purpose of the advisory committees is to facilitate communication between the agency, regulated community, and other environmental interest groups. In addition, members provide constructive comments and guidance on program initiatives and disseminate information to affiliated organizations. CT DEP will continue throughout the term of this agreement to keep the advisory committees apprised of the progress being made by CT DEP and EPA in fulfilling the terms of the agreement.

The following is background information on the well-established advisory groups for its environmental quality programs.

#### *Air Management Bureau*

SIPRAC (State Implementation Plan Revision Advisory Committee) focuses on clean air act regulations and policies under consideration by the Department. Meeting topics have covered the full range of issues affecting clean air, including Climate Change & Transportation, Mercury Policy & Programs, the MTBE Ban and State-wide transition efforts, implementation of PM2.5 and 8-hr Ozone Standards, updates on the NOx Budget Program, and Power Plant Lawsuits, and several presentations related to air toxics.

### *Water Management Bureau*

The Bureau of Water Management's Advisory Committee continues to meet regularly. The Committee receives updates and discusses topics including: the requirements of newly drafted or revised general permits; stormwater issues: nitrogen removal initiatives for Long Island Sound; mercury; wastewater issues; development of the list of impaired water bodies and plans to adopt Total Maximum Daily Loads (TMDLs); legislation and regulations; water diversions; aquifer protection and other topics which may be of interest.

### *Waste Management Bureau*

The Waste Management Bureau is in the process of planning to convene Waste Management Bureau Advisory subcommittees on issues related to several of the significant program and organizational changes or evaluation underway. Proposed areas for stakeholder discussion and participation are related to solid waste and remediation and related programs.

Beyond the advisory groups, in general CT DEP also keeps stakeholders apprised of major initiatives and progress on programs through several newsletters that are circulated and distributed to a diverse and large number of stakeholders. There are, for instance, newsletters on *Managing Compliance* and *Pollution Prevention* that are published regularly throughout the year and posted on the Department's web site. CT DEP encourages stakeholders to comment and provide input on the topics covered in the newsletters. As a result, in addition to the advisory committees, the newsletters provide a consistent mechanism whereby public participation is continuously sought for the priorities of the department.

**Environmental Performance Partnership Agreement**  
**between the U.S. Environmental Protection Agency, New England**  
**and the Connecticut Department of Environmental Protection**  
**for Fiscal Year 2006-2007**

We are pleased to enter into this FY 2006-07 Environmental Performance Partnership Agreement as part of the National Environmental Performance Partnership System (NEPPS). This Agreement sets forth our mutual agenda for continued environmental progress and our expectations for the state/federal relationship.

*This agreement shall cover the period from October 1, 2005 through September 30, 2007.*

**Robert W. Varney**

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Robert W. Varney  
Regional Administrator  
US Environmental Protection Agency  
New England

**Gina McCarthy**

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Gina McCarthy  
Commissioner  
Connecticut Department of Environmental Protection

**5/11/06**

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Date

**4/11/06**

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Date